UNITED
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Security Council

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S/1994/1082
22 September 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 SEPTEMBER 1994 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose resolution 6/7-EX adopted at the extraordinary session of the Conference of Ministers for Foreign Affairs of the Islamic States and entitled "The crisis between the Great Socialist People's Libyan Arab Jamahiriya on the one hand and the United States of America and the United Kingdom of Great Britain and Northern Ireland on the other".

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ali Sunni MUNTASSER
Permanent Representative
Chargé d'affaires a.i.

Annex

Resolution No. 6/7-EX concerning the crisis between the Great Socialist People's Libyan Arab Jamahiriya on the one hand and the United States of America and the United Kingdom of Great Britain and Northern Ireland on the other

The seventh extraordinary session of the Islamic Conference of Ministers for Foreign Affairs, held at Islamabad, Pakistan, from 2 to 4 Rabi' II A.H. 1415 (7 to 9 September A.D. 1994),

Having considered the item pertaining to the current crisis between the Great Socialist People's Libyan Arab Jamahiriya on the one hand and the United States of America and the United Kingdom of Great Britain and Northern Ireland on the other,

Reaffirming its previous resolutions concerning the crisis,

Expressing its satisfaction at the flexibility shown by the Libyan Arab Jamahiriya and its readiness to cooperate with the efforts made to achieve a peaceful settlement of the crisis that ensures justice for all and safeguards its national sovereignty in accordance with the Charter of the United Nations and international law,

1. Calls on all the parties to make a greater effort to achieve a settlement of the crisis so as to put an end to the suffering of the Libyan people caused by the sanctions imposed on it;

2. Expresses its support for the proposal contained in resolution 5373 (101/3) of the Council of the League of Arab States adopted on 27 March 1994 and calling for a fair trial for the two suspects by Scottish magistrates in conformity with Scottish law at the seat of the International Court of Justice at The Hague and urging the United Nations Security Council to take this serious proposal into account in the search for a peaceful settlement, thus averting any escalation of the situation that might exacerbate tension in the region;

3. Calls on the United Nations Security Council to reconsider its resolutions 748 (1992) and 883 (1992) concerning the crisis;

4. Requests the Secretary-General to follow up this matter and submit a report thereon to Member States.

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NATIONS

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Security Council

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S/1994/1083
22 September 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Taking note of the information provided by the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC), and that contained in other relevant reports (S/1994/265 and S/1994/674), particularly regarding grave violations of international humanitarian law affecting the non-Serb population in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

Gravely concerned at the persistent and systematic campaign of terror perpetrated by the Bosnian Serb forces in Banja Luka, Bijeljina and other areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, as described in paragraphs 5 to 79 of the above-mentioned report (S/1994/265),

Emphasizing that this practice of "ethnic cleansing" by the Bosnian Serb forces constitutes a clear violation of international humanitarian law and poses a serious threat to the peace effort,

Expressing its deep concern over the continued denial by Bosnian Serb forces of prompt and unimpeded access to the Special Representative of the Secretary-General and the United Nations Protection Force (UNPROFOR) to Banja Luka, Bijeljina and other areas under Bosnian Serb control as demanded by the Security Council in its presidential statement of 2 September 1994 (S/PRST/1994/50),

Recognizing that the International Tribunal has jurisdiction over serious violations of international humanitarian law in the territory of the former Yugoslavia, and that the Council remains committed to its previous resolutions on the importance of cooperation with the Tribunal,

Determined to put an end to the abhorrent and systematic practice of "ethnic cleansing" wherever it occurs and by whomsoever it is committed,

Determining that the situation in the Republic of Bosnia and Herzegovina continues to constitute a threat to international peace and security, reiterating its determination to ensure the security of UNPROFOR and its freedom of movement for all its missions, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Reaffirms that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949;

2. Strongly condemns all violations of international humanitarian law, including in particular the unacceptable practice of "ethnic cleansing" perpetrated in Banja Luka, Bijeljina and other areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, and reaffirms that those who have committed or have ordered the commission of such acts will be held individually responsible in respect of such acts;

3. Reaffirms its support for the established principles that all declarations and actions made under duress, particularly those regarding land and ownership, are null and void, and that all displaced persons should be enabled to return in peace to their former homes;

4. Demands that the Bosnian Serb authorities immediately cease their campaign of "ethnic cleansing";

5. Demands that the Bosnian Serb party accord immediate and unimpeded access for the Special Representative of the Secretary-General, UNPROFOR, UNHCR and ICRC to Banja Luka, Bijeljina and other areas of concern;

6. Requests the Secretary-General to arrange, when conditions permit, the deployment of UNPROFOR troops and United Nations monitors in Banja Luka, Bijeljina, and other areas of concern, and to intensify his efforts in this regard;

7. Also requests the Secretary-General to report urgently to the Council on the implementation of this resolution;

8. Determines to consider any further steps that it may deem necessary;

9. Decides to remain seized of the matter.

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S/1994/1084
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Argentina, Czech Republic, Djibouti, France, Germany, Nigeria, Oman, Pakistan, Russian Federation, Rwanda, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Affirming its commitment to a negotiated settlement of the conflict in the former Yugoslavia, preserving the territorial integrity of all the States there within their internationally recognized borders,

Expressing appreciation for the efforts undertaken by the representatives of the United Nations, the European Union, the United States of America and the Russian Federation to assist the parties in reaching a settlement,

Reaffirming the need for a lasting peace settlement to be signed by all the Bosnian parties, and implemented in good faith by them, and condemning the decision by the Bosnian Serb party to refuse to accept the proposed territorial settlement (S/1994/1081),

Viewing the measures imposed by the present resolution and by its previous relevant resolutions as a means towards the end of producing a negotiated settlement to the conflict,

Expressing its support for the continuing efforts of Member States, in particular States in the region, to implement its relevant resolutions,

Determining that the situation in the former Yugoslavia continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

A

1. Expresses its approval of the proposed territorial settlement for the Republic of Bosnia and Herzegovina which has been put to the Bosnian parties as part of an overall peace settlement;

2. Expresses its satisfaction that the proposed territorial settlement has now been accepted in full by all except the Bosnian Serb party;

3. Strongly condemns the Bosnian Serb party for their refusal to accept the proposed territorial settlement, and demands that that party accept this settlement unconditionally and in full;

4. Requires all parties to continue to observe the cease-fire as agreed on 8 June 1994 and to refrain from all new acts of hostility;

5. Declares its readiness to take all measures necessary to assist the parties to give effect to the proposed settlement once it has been accepted by all parties, and in this connection encourages States, acting nationally or through regional agencies or arrangements, to cooperate in an effective manner with the Secretary-General in his efforts to aid the parties to implement the proposed settlement;

B

Resolved to reinforce and extend the measures imposed by its previous resolutions with regard to those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

6. Calls upon States to desist from any political talks with the leadership of the Bosnian Serb party as long as that party has not accepted the proposed settlement in full;

7. Decides that States shall prevent

(i) economic activities carried on, after the date of adoption of this resolution, within their territories by any entity, wherever incorporated or constituted, which is owned or controlled, directly or indirectly, by:

(a) any person in, or resident in, or any entity, including any commercial, industrial or public utility undertaking, in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or

(b) any entity incorporated in or constituted under the law of those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, as well as

(ii) economic activities carried on, after the date of adoption of this resolution, within their territories, by any person or entity, including those identified by States for the purpose of this resolution, found to be acting for or on behalf of and to the benefit of any entity, including any commercial, industrial or public utility undertaking in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or any entity identified in subparagraph (i) above;

provided

(a) that States may authorize such activities to be carried on within their territories, having satisfied themselves on a case-by-case basis that the activities do not result in the transfer of property or interests in property to any person or entity described in subparagraph (i) (a) or (b) above, and

(b) that nothing in this paragraph shall prevent the provision of supplies intended strictly for medical purposes and foodstuffs notified to the Committee established by resolution 724 (1991), or commodities and products for essential humanitarian needs approved by the Committee;

8. Decides that States shall revoke existing, and issue no further, authorization under paragraph 7 above in respect of any person or entity violating the measures imposed by this resolution or violating the measures imposed by earlier relevant resolutions, where those violations have occurred after the date of adoption of this resolution;

9. Decides that States shall consider the term "economic activities" used in paragraph 7 above to mean

(a) all activities of an economic nature, including commercial, financial and industrial activities and transactions, in particular all activities of an economic nature involving the use of or dealing in, with or in connection with property or interests in property,

(b) the exercise of rights relating to property or interests in property, and

(c) the establishment of any new entity or change in management of an existing entity;

10. Decides that States shall consider the term "property or interests in property" used in paragraphs 7 and 9 above to mean funds, financial, tangible and intangible assets, property rights, and publicly and privately traded securities and debt instruments, and any other financial and economic resources;

11. Decides that States in which there are funds or other financial assets or resources of

(i) any entity, including any commercial, industrial or public utility undertaking in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or

(ii) any entity identified in paragraph 7 (i) above or any person or entity identified in paragraph 7 (ii) above,

shall require all persons and entities within their territories holding such funds or other financial assets or resources to freeze them to ensure that neither they nor any other funds or any other financial assets or resources are made available directly or indirectly to or for the benefit of any of the above-mentioned persons or entities,

except

(a) payments made in connection with activities authorized in accordance with paragraph 7 above, or

(b) payments made in connection with transactions authorized by the Government of the Republic of Bosnia and Herzegovina with regard to persons or entities within its territory,

provided that States are satisfied that payments to persons outside their territories will be used for the purpose or in connection with the activities and transactions for which permission is sought; and that in the case of payments made under exception (a) above, States may authorize such payments only after they are satisfied on a case-by-case basis that the payments do not result in the transfer of funds or other financial assets or resources to any person or entity described in subparagraph (a) or (b) of paragraph 7 (i) above;

12. Decides that States shall ensure that all payments of dividends, interest or other income on shares, interest, bonds or debt obligations or amounts derived from an interest in, or the sale or other disposal of, or any other dealing with, tangible and intangible assets and property rights, accruing to

(i) any entity, including any commercial, industrial or public utility undertaking in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or

(ii) any entity identified in paragraph 7 (i) or any person or entity identified in paragraph 7 (ii) above,

are made only into frozen accounts;

13. Decides that the provision of services, both financial and non-financial, to any person or body for the purposes of any business carried on in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces shall be prohibited, the only exceptions being (a) telecommunications, postal services and legal services consistent with this resolution and earlier relevant resolutions, (b) services whose supply may be necessary for humanitarian or other exceptional purposes, as approved on a case-by-case basis by the Committee established by resolution 724 (1991), and (c) services authorized by the Government of the Republic of Bosnia and Herzegovina;

14. Decides that States shall prevent the entry into their territories of:

(a) the members of the authorities, including legislative authorities, in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces and officers of the Bosnian Serb military and paramilitary forces, and those acting on behalf of such authorities or forces;

(b) persons found, after the adoption of the present resolution, to have provided financial, material, logistical, military or other tangible support to Bosnian Serb forces in violation of relevant resolutions of the Council;

(c) persons in or resident in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces found to have violated or contributed to the violation of the measures set out in resolution 820 (1993) and in the present resolution;

and requests that the Committee established by resolution 724 (1991) establish and maintain an updated list, based on information provided by States and competent regional organizations, of the persons falling within this paragraph;

provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals; and provided that the entry of a person included in the list into a particular State on a specified date may be authorized, for purposes consistent with the pursuit of the peace process and with the present resolution and earlier relevant resolutions, by the Committee or, in the event of disagreement in the Committee, by the Council;

15. Decides to prohibit all commercial riverine traffic from entering ports of those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces except when authorized on a case-by-case basis by the Committee established by resolution 724 (1991), or by the Government of the Republic of Bosnia and Herzegovina for its territory, or in case of force majeure;

16. Decides that States shall require that all shipments of commodities and products destined for those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces be properly manifested and either be physically inspected by the Sanctions Assistance Missions or the competent national authorities at loading to verify and seal their contents or be laden in a manner which permits adequate physical verification of the contents;

17. Decides that States shall, in notifying or submitting applications to the Committee established by resolution 724 (1991) in respect of supplies intended strictly for medical purposes and foodstuffs and essential humanitarian supplies in respect of those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, report for information purposes to the Committee on the source of funds from which payment is to be made;

18. Decides that States shall, in implementing the measures imposed by this resolution, take steps to prevent the diversion of benefits to those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces from other places, and in particular from the United Nations Protected Areas in Croatia;

19. Requests the Secretary-General to provide the necessary assistance to the Committee established by resolution 724 (1991) and to make the necessary arrangements in the Secretariat for that purpose;

20. Decides that the provisions set forth in this resolution do not apply to activities related to the United Nations Protection Force, the International Conference on the Former Yugoslavia or the European Community Monitoring Missions;

21. Decides to review the measures imposed by this resolution whenever appropriate and in any event every four months from the date of adoption of this resolution; and expresses its readiness to reconsider those measures if the Bosnian Serb party accepts the proposed territorial settlement unconditionally and in full;

22. Decides to remain actively seized of the matter and to consider immediately, whenever necessary, further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council.

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Czech Republic, France, Germany, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Affirming its commitment to a negotiated settlement of the conflict in the former Yugoslavia, preserving the territorial integrity of all the States there within their internationally recognized borders,

Expressing appreciation for the efforts of the representatives of the United Nations, the European Union, the United States of America and the Russian Federation to assist the parties in reaching a settlement,

Welcoming the decision by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to support the proposed territorial settlement (S/1994/1081) for the Republic of Bosnia and Herzegovina which has been put to the Bosnian parties,

Also welcoming the decision by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to close the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs,

Further welcoming their decision to invite international assistance with regard to the passage of supplies for essential humanitarian needs through the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina,

Noting in this regard the letter of 19 September to the President of the Security Council from the Secretary-General (S/1994/1074) conveying a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY) on the establishment and commencement of operations on an ICFY Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro),

Calling upon the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to maintain the effective closure of the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs;

Noting that paragraph 9 of resolution 757 (1992) remains in force,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that:

(i) the restrictions imposed by paragraph 7 of resolution 757 (1992), paragraph 24 of resolution 820 (1993) with regard to aircraft which are not impounded at the date of adoption of this resolution, and by other relevant resolutions which relate to the provision of goods and services, with respect to all civilian passenger flights to and from Belgrade airport carrying only passengers and personal effects and no cargo unless authorized under the procedures of the Committee established by resolution 724 (1991);

(ii) the restrictions imposed by paragraphs 24 and 28 of resolution 820 (1993) and by other relevant resolutions which relate to the provision of goods and services, with respect to the ferry service between Bar in the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bari in Italy carrying only passengers and personal effects and no cargo unless authorized under the procedures of the Committee established by resolution 724 (1991),

(iii) the measures imposed by paragraph 8 (b) and (c) of resolution 757 (1992) concerning participation in sporting events and cultural exchanges

shall be suspended for an initial period of 100 days from the day following the receipt by the Security Council of a report from the Secretary-General that the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia have certified that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and that arrangements are in place pursuant to the decision of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to invite international assistance with regard to the passage of supplies for essential humanitarian needs through that border;

2. Invites the Committee established by resolution 724 (1991) to adopt appropriate streamlined procedures for expediting its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the United Nations High Commissioner for Refugees, and the International Committee of the Red Cross;

3. Requests that every thirty days the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia certify that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs and further requests the Secretary-General to report to the Council immediately if he has evidence, including from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, that those authorities are not effectively implementing their decision to close the border;

4. Decides that if at any time the Secretary-General reports that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not effectively implementing their decision to close the border, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

5. Decides to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

6. Decides to remain actively seized of the matter.

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GENERAL ASSEMBLY
Forty-ninth session
Items 24, 33, 34, 55, 72, 91, 95, 98, 99, 101, 103 and 145 of the provisional agenda*

SECURITY COUNCIL
Forty-ninth year

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS AND THEIR IMPACT ON INTERNATIONAL SECURITY

CONSOLIDATION OF THE REGIME ESTABLISHED BY THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

AGENDA FOR DEVELOPMENT

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

CRIME PREVENTION AND CRIMINAL JUSTICE

INTERNATIONAL DRUG CONTROL

HUMAN RIGHTS QUESTIONS

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

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* A/49/150.

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Letter dated 15 September 1994 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General

I have the honour to submit herewith the documents adopted at the eighth annual summit of the Rio Group, held at Rio de Janeiro on 9 and 10 September 1994, with participation by Argentina, Bolivia, Chile, Colombia, Ecuador, Guatemala, Mexico, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay, Venezuela and Brazil.

I should be grateful if you would have this letter and its annexes circulated as a document of the General Assembly under items 24, 33, 34, 55, 72, 91, 95, 98, 99, 101, 103 and 145 of the provisional agenda (A/49/150), and of the Security Council.

(Signed) Ronaldo Mota SARDENBERG
Ambassador
Permanent Representative of Brazil
to the United Nations

ANNEX I

[Original: English and Spanish]

Rio de Janeiro Declaration

1. As we meet at this eighth annual summit, we notice with great satisfaction that, this year, several democratic electoral processes are taking place in the Americas and the Caribbean. This fact provides clear evidence of the vitality of democracy in our region, in the consolidation and defence of which the Permanent Political Consultation and Concertation Mechanism has played a decisive role.

2. The stability of democratic institutions has made it possible for an increasingly close understanding among the countries of the region. The Rio Group has consolidated itself as an important forum for consultation and dialogue among the highest authorities of Latin America and the Caribbean. The closer relations we have established derive from the discussion of issues ranging from strictly political to economic affairs, from the strengthening of democracy to advances in the process of regional integration, from the expansion of trade to the preservation of our common cultural roots, that reinforce one another through a growing awareness of shared interests.

3. We recognize that the strengthening of democracy is closely related to a form of development which is responsive to the aspirations of our peoples for well-being and social and economic equity. We will spare no effort to preserve and promote democracy and to stimulate economic and social development in our region.

4. Institutional stability and the democratic system will be strengthened through dialogue, mutual cooperation and strict adherence to the principles enshrined in the Charters of the United Nations and of the Organization of American States, among which are non-interference in the internal affairs of each country and self-determination.

5. We reiterate the consensus reached at the World Conference on Human Rights held in Vienna in 1993, and reaffirm that all human rights are interdependent, indivisible and therefore should not be respected selectively.

6. We express our satisfaction over the appointment of a Latin American as the first United Nations High Commissioner for Human Rights, in recognition of the work carried out in this field in Latin America and the Caribbean.

7. We acknowledge with satisfaction the substantial increase in commercial and economic flows resulting from bilateral free trade agreements between several Latin American countries. The integration process now covers the entire region. MERCOSUR is consolidating itself with the adoption of a common external tariff, which comes into effect on 1 January 1995, which will establish a customs union, and at the same time aims to promote associative links with other Latin American countries, such as Bolivia and Chile. We take note of the renewed dynamism of the Andean Pact and of the signing of the Free Trade Agreement of the Group of

Three, which establishes new forms of economic and commercial cooperation among Colombia, Mexico and Venezuela, and also of the agreements between these countries and those of Central America. We are aware of the strengthening of the Central American Integration System, the vitality of the Caribbean Community, and the recent signing of the Convention creating the Association of Caribbean States. We strongly welcome the work being carried out at ALADI, which provides a legal framework and a negotiating forum for expanding these multiple and positive initiatives working for integration. On the other hand, we believe that the North American Free Trade Agreement (NAFTA) represents an important contribution to the liberalization of trade within the hemisphere.

8. All these initiatives allow an optimistic view concerning convergence in the near future of the different subregional schemes into a form of even wider economic cooperation in the hemisphere that strengthens the movement towards greater integration of the region into the world economy. The South American Free Trade Area (ALCSA), to be achieved through the negotiation of a network of free trade arrangements, will be a means to reaffirm and foster this process.

9. The liberalization and modernization of our economies constitute the necessary basis for the economic and social development of Latin America and the Caribbean, and for a greater role of the region in the international economy. What is required for the development of all our countries is not only the increase in investment flows but also growth in public and private financing. The development of the appropriate transportation and communications infrastructure and optimal use of energy resources require major investments by the region. In this context, we emphasize the importance of undertaking actions that promote the development of border regions between our countries.

10. Achieving economic growth and social development is the greatest challenge facing Latin American and Caribbean countries. Measures aiming at the eradication of extreme poverty will continue to receive high priority by both the State and society.

11. In the knowledge that the full economic and social development of our peoples undoubtedly requires a sustained effort in the field of education, we commit ourselves to give priority to actions to eliminate illiteracy, progressively improve the quality of our peoples' education at all levels and give a larger segment of our population access to technical as well as higher education.

12. Latin American and Caribbean countries express their firm conviction that the World Summit on Social Development, to be held in Copenhagen in March 1995, offers an opportunity for the international community to assure equitable treatment to social integration, particularly to the benefit of the most marginalized and least-favoured groups, and to relieve extreme poverty and increase productive employment.

13. The signing of the Uruguay Round agreements, under the sponsorship of GATT, and the creation of the World Trade Organization (WTO) mark the beginning of a new era in international trade. We call upon all countries to ratify these treaties as soon as possible and to refrain from protectionist policies and from

creating obstacles to the liberalization and growth of international trade, particularly in agricultural products.

14. The drive to modernize our economies requires the adoption of new technologies, which enhance productivity and favour the adoption of more efficient and environmentally acceptable productive processes. National and international controls on the transfer of dual-use technologies should not obstruct access to goods and advanced technologies employed for peaceful purposes in the cause of development.

15. As regards access to commercially available technology, we are not concerned about transfers on a concessional basis only. We share a common interest in taking an active part, both as producers and consumers, in the flow of knowledge and goods in the field of advanced technology.

16. Our progress in non-proliferation, by reason of which Latin America and the Caribbean are virtually the first populated region free from nuclear weapons and other weapons of mass destruction, represents a further contribution of the region to international peace and security, as demonstrated by the progress made towards the full implementation of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (the Tlatelolco Treaty). In our region confidence-building can now be considered a reality. We have adopted measures to ensure transparency in intraregional relations and we spend comparatively less on arms and on the maintenance of armed forces than the other regions of the world.

17. Efforts at cooperation of the international community must be enhanced so as to defend our peoples from the threats posed by transnational organized crime and to intensify the fight against corruption, as well as to promote a more efficient administration of justice. Special emphasis should be placed on the fight against drug trafficking, the production and illegal consumption of drugs, the diversion of chemical precursors, the laundering of money and trafficking in arms. These are the main causes of increased violence and criminal activity and constitute a threat to the health and well-being of our peoples. To guarantee that these efforts contribute to governability and to the stability of the democratic system, the operative aspects of cooperation agreements must be improved. These agreements must equally make allowances for the specific national requirements of our countries and in this way helps to strengthen the domestic consensus in each of them.

18. We strongly condemn all terrorist attacks and, in particular, those recently perpetrated in our region and we call upon the international community to fight this scourge. In this context we reaffirm the importance of the extradition treaties ratified by our countries and of the actions undertaken by the legal authorities involved.

19. We express our decided support for the efforts of those countries undergoing processes of internal pacification and internal reconciliation and we call upon the international community to join us in expressing solidarity.

20. We attach great importance to the process of enlargement and reform of the United Nations Security Council with a view to correcting imbalances in its

present composition, improving its decision-making process and rendering its working procedures more transparent, so that it reflects in a more legitimate and representative manner all Member States of the Organization. We agree that Latin America and the Caribbean, by reason of its legal tradition and contribution to the cause of peace, should be contemplated in any enlargement of the Council.

21. We express our satisfaction with the Declaration of the Heads of States and Government of the Countries of the European Union, in Corfu, which reaffirmed the importance of relations with Latin America and the Caribbean and its regional groupings. We invite the European Union to join with us in adopting a common strategy in which new channels of dialogue and cooperation are defined so as to strengthen economic and trade relations and so establish an authentic association that benefits both regions.

22. We are aware of the importance of continuing our increasingly active dialogue with Japan and the People's Republic of China. We value dialogue with other countries or groups of countries such as the Gulf Cooperation Council and the Association of South East Asian Nations.

23. We are confident that the Summit of Democratically Elected Heads of State and Government of the Hemisphere will raise the level of political dialogue and will result in concrete actions that strengthen the economic, commercial and cooperation links between the countries of the hemisphere. To this end, as a particularly significant interlocutor of the United States, the Rio Group reiterates its willingness to move ahead with consultations with that country.

24. We, heads of State and Government, assembled in Rio de Janeiro, would like to express our gratitude to President Itamar Franco for the hospitality shown to us by the Government and people of Brazil, as well as to extend our congratulations for the efficient organization and conduct of the eighth summit of the Permanent Mechanism of Political Consultation and Concertation.

ANNEX II

[Original: English and Spanish]

Declaration of the Rio Group on the Haitian Situation

1. The heads of State and Government, meeting at the Eighth Rio Group Summit, express their unswerving solidarity with the people of Haiti at this time of great suffering and renew their firm commitment to search for a lasting solution to the crisis in that country, in accordance with the principles of the Charters of the United Nations and of the Organization of American States.

2. They strongly condemn and repudiate the obstinate and stubborn attitude of those illegitimately holding power in Haiti and strongly call upon them to immediately hand over authority to the legitimately and democratically elected Government of Haiti, in accordance with the repeatedly expressed wish of the international community.

3. The heads of State and Government of the Rio Group are convinced that compliance with this demand will avoid more serious consequences and will allow, through the committed efforts of the hemisphere, for cooperation in order to bring about the restoration of democratic institutions in that sister nation.

4. The heads of State and Government of the Rio Group wish to see a peaceful solution to this crisis.

ANNEX III

[Original: English and Spanish]

Declaration of the Rio Group on Cuba

1. The heads of State and Government, meeting at the Eighth Summit of the Rio Group, having examined the present situation in the Republic of Cuba, express their concern about the risks of undesirable consequences of the Cuban crisis.

2. Having in mind the principles of non-intervention and self-determination, they consider that in order to avoid even greater suffering of the Cuban people it is essential that there be in Cuba, in accordance with the will of the people, a peaceful transition to a democratic and pluralistic system, which respects human rights and freedom of opinion.

3. The heads of State and Government believe that, at this critical juncture, they can and should launch a constructive dialogue with Cuba, in order to contribute to the internal process of democratization of the sister nation. They endeavour, in this way, to see Cuba closer to Latin American and Caribbean countries and fully reintegrated into the hemispheric fold.

4. In this context they reaffirm the need to lift the embargo against Cuba.

5. They express, on the other hand, the importance they accord to the decision of the Government of Cuba to invite the United Nations High Commissioner for Human Rights to visit Cuba in the near future, as well as that Government's decision to accede to the Treaty of Tlatelolco.

6. They consider that the direct negotiations currently taking place between the United States of America and the Republic of Cuba are a positive development. The results that have been announced so far confirm the need to continue the dialogue.

ANNEX IV

[Original: English and Spanish]

Declaration of the Rio Group on coordination of the fight against drug trafficking

1. The heads of State and Government, meeting at the Eighth Summit of the Rio Group, reaffirm their firm political commitment to tackle and fight the scourge of drug trafficking, which continues to afflict the international community.

2. They express their growing concern over the continued spread of drug trafficking and the enormous danger it poses to social institutions, to the observance of human rights and to democratic stability in their countries.

3. Aware of the magnitude of the problem, they agree that it calls for concerted and more effective international action.

4. To this end the heads of State and Government agree to harmonize, as soon as possible, their national legislation on money laundering, swift extradition procedures, confiscation of property and cooperation in the field of law enforcement.

5. They further agree on the need for international agreements to ensure the necessary cooperation in these matters.

6. They also express the need to foster alternative forms of economic development by cooperation in opening up markets and increasing investment in coca growing areas.

7. They also express their wish to see included in the agenda of the Miami Summit the question of an inter-American convention to combat money laundering.

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LETTER DATED 22 SEPTEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As the Security Council is steered relentlessly towards the easing of sanctions on Serbia and Montenegro, we must express our grave concern that this action is at least premature; ignores current facts; is unbalanced; and is, therefore, counterproductive.

Numerous reports, including from personnel of the United Nations Protection Force (UNPROFOR), indicate serious doubt as to whether the border between the Republic of Bosnia and Herzegovina and Serbia and Montenegro is effectively closed to strategic and war matériel. To cite just a few of the reports:

(a) The Bosnian Serbs attacking the safe area of Bihać are intercepted in their direct communication with Belgrade coordinating the assault;

(b) Temporary bridges and roads are erected to facilitate violations across the border;

(c) Most recently and critically, as reported by The New York Times today,

"United Nations military observers have monitored several hundred flights by Serbian helicopters over north-eastern Bosnia in the past week, and many appear to have originated in Serbia, a senior United Nations official said today.

"Helicopters flying from Serbia into Serb-held parts of Bosnia could be carrying military supplies in violation of the pledge by Serbia's President, Slobodan Milosević, to cut off supplies to the Bosnian Serbs. Such flights would also violate the ban on Bosnian airspace imposed by the United Nations last year.

"'We have not seen anything on this scale before and doubt that the Bosnian Serbs would organize this number of helicopter flights without the active involvement of the Yugoslav Army', the United Nations official, who has seen the military reports, said. Serbia is the dominant republic in Yugoslavia.

"He said officials at the headquarters in Zagreb, Croatia, of the United Nations mission in the Balkans believe the flights, made at night, were used to take supplies to the Bosnian Serbs in territory they hold north and north-west of Tuzla, and possibly to move personnel as well";

The above information is in direct contradiction to the recent report offered by the monitoring team of Brigadier-General Bo Pellnas. We do not cast doubt on General Pellnas's integrity. However, we believe that this contradiction in perceptions reflects how undermanned and ineffective the current monitoring regime is and why its authority on the matter cannot be relied upon without further significant additions to its resources and mandate. How can we seriously consider the accuracy of information provided by the current monitoring team when its manpower, resources and mandate fall well short of that asserted as a minimum necessary for the job by recent reports from the Secretary-General? It unfortunately appears that the current monitoring regime has been constituted in response to political considerations rather than a serious view of the task.

At a time when the strangulation of Sarajevo and ethnic cleansing are being dramatically intensified, including by paramilitary forces from Serbia and Montenegro, the impatient push to adopt an easing of sanctions resolutions seems to be out of place and certainly sends the wrong message.

Finally, the overall balance of actions now being considered by the Security Council is out of balance. While easing of sanctions is being promoted for Serbia and Montenegro and the Bosnian Serbs face a practically ineffectual tightening, the Government of the Republic of Bosnia and Herzegovina has not seen any of the promises of the Contact Group delivered.

We have made positive proposals to bring balance to the Contact Group's draft resolutions. They have been swept aside. If the Contact Group has truly embraced a comprehensive approach to the problem, then this measure is peculiar by the absence of any considerations that address our oft-stated concerns. In fact, all of the measures undertaken so far by the Contact Group reflect a failure to incorporate any of the elements committed to in response to our acceptance and the Serbian rejection of the peace plan. Instead new measures are being introduced to placate and/or reward Serbia and Montenegro, while new arguments are being invented as to why the steps promised to the Bosnians should be reneged upon or abandoned. In fact, we can only sense the back-pedalling and the atmosphere of yet another betrayal.

We will be prepared to endorse the Contact Group's current proposals when they provide for:

(a) Truly effective border monitoring;

(b) Responsive measures to the intensified strangulation of Sarajevo and ethnic cleansing;

(c) The necessary balance through a comprehensive approach to the Contact Group's previous commitments.

May I ask for your kind assistance in circulating the present letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

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LETTER DATED 22 SEPTEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to append herewith the text of a statement adopted today by the Contact Group of the States members of the Organization of the Islamic Conference on Bosnia and Herzegovina (see annex).

I shall be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent Representative

Annex

Statement on Bosnia and Herzegovina adopted at United Nations Headquarters on 22 September 1994 by the Contact Group of the States members of the Organization of the Islamic Conference

The members of the Contact Group of the Organization of the Islamic Conference (OIC) on Bosnia and Herzegovina strongly deplore and condemn the Bosnian Serb party for its refusal to accept the map proposed by the five-nation Contact Group, as well as its continued campaign to consolidate territory seized by the use of force, ethnic cleansing and genocide.

They are deeply concerned at the continuing violations by the Serbs of "safe areas", "exclusion zones" and the "no-fly zone". In that context, they express deep alarm at the reported large-scale helicopter flights between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Serb-held territories in the Republic of Bosnia and Herzegovina. Recent reports indicate that such unauthorized flights may have delivered large quantities of military supplies to the Bosnian Serbs in gross violation of relevant Security Council resolutions. Such incidents belie the claims of the Federal Republic of Yugoslavia (Serbia and Montenegro) authorities of having closed its borders with the Bosnian territories occupied by the Bosnian Serbs and demonstrates the inadequacy and lack of effectiveness of the international monitors deployed up to the present time.

The members of the OIC Contact Group are deeply concerned at the lack of appropriate response by the international community, particularly by the Security Council and the member States of the European Contact Group, to this situation. They recall that the European Contact Group had committed itself to a series of steps, including tightening of the sanctions regime against Serbia and Montenegro, expanding the exclusion zones in Bosnia and Herzegovina and taking appropriate steps towards lifting the defacto arms embargo on the Government of Bosnia and Herzegovina. The members of the OIC Contact Group believe that the failure of the European Contact Group members to honour their commitments would further encourage and embolden the aggressor to continue to defy the will of the international community with impunity.

The members of the OIC Contact Group strongly condemn the accelerated campaign of ethnic cleansing by the Bosnian Serbs, the most recent examples of which are Banja Luka, Bijeljina and Prejedor, and their intensified stranglehold on many Bosnian towns, including the capital Sarajevo, which are designated "safe areas" by the Security Council.

The members of the OIC Contact Group believe that the international community cannot, in good conscience and judgement, ease sanctions on Serbia and Montenegro without first taking concrete steps to reverse the consequences of aggression against and occupation of the territories of the Republic of Bosnia and Herzegovina. Under the present circumstances, easing of sanctions on Serbia and Montenegro would be nothing less than rewarding the aggressor, undermining the peace process and sacrificing the principles enshrined in the Charter of the United Nations.

The members of the OIC Contact Group express their disagreement with the approach to easing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) at the present juncture, which they regard as premature, unbalanced and counterproductive. In that regard, they appeal to the Security Council first to ascertain the views of the full membership of the United Nations through an open debate on the question of easing the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) before taking action on such a draft resolution.

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LETTER DATED 21 SEPTEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF OF GREECE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With reference to the paragraphs on the situation of the former Yugoslav Republic of Macedonia contained in your report dated 17 September 1994 submitted pursuant to resolution 908 (1994) of 31 March 1994 (S/1994/1067), I would like to point out the following:

Following increasing signs of escalation in the intransigence of the Government of Skopje, the Government of Greece was compelled to decide, on 16 February 1994, to interrupt the transportation of merchandise to and from Skopje through the port of Thessaloniki, with the exception of necessary goods for humanitarian purposes.

It is to be noted that that decision has had an adverse and painful effect on the Greek economy itself, at a time when it is already suffering from the continuation of economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

In the light of the above, the term "economic blockade imposed by Greece" (paras. 24 and 50), is not, in my view, appropriate, since it does not reflect the fact that the decision of the Government of Greece was taken only as a countermeasure in response to a long series of provocations, all of which have been duly and timely brought to your attention.

Greece sincerely hopes that, once the requirements of the electoral calendar of the former Yugoslav Republic of Macedonia have been met, as you noted in your letter dated 5 August 1994 to the President of the Security Council (S/1994/978), outstanding problems will be solved not only to the mutual benefit of the two countries, but also in the interest of peace and stability in the sensitive area of the Balkans.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Christos ZACHARAKIS
Ambassador
Permanent Representative

94-37053 (E) 230994 260994

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LETTER DATED 23 SEPTEMBER 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

Article 27 of the Statute of the International Tribunal for the Former Yugoslavia, adopted by the Security Council in its resolution 827 (1993) of 25 May 1993, prescribes that imprisonment imposed by the International Tribunal on a convicted person shall be served in a State designated by the Tribunal from a list of States which have indicated to the Security Council their willingness to accept convicted persons. In the report on the Statute of the International Tribunal presented by the Secretary-General to the Security Council (S/25704 and Corr.1 and Add.1), it is suggested that the Security Council make appropriate arrangements to obtain from States an indication of their willingness to accept convicted persons. This information would be communicated to the Registrar of the International Tribunal who would prepare a list of States in which the enforcement of sentences would be carried out.

On behalf of the Security Council, I hereby kindly request that you assist the Council in obtaining such indications from States.

(Signed) Juan Antonio YÁÑEZ-BARNUEVO
President of the Security Council

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